IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN INSOLVENCY

INSOLVENCY PETITION NO.49 OF 2007

RE: Dr.Khalil A.Qudros Munshi...Debtors
& Anr.

EX-PARTE :

The Shamrao Vithal Co-operative
Bank Ltd. ...Petg.Creditors

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Mr.M.R.Patel i/b Mr.R.V.Vengurlekar for Petitioning Creditors.

Mr.Herbert A.Noronha for Debtors.

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CORAM: A.M.KHANWILKAR, J.

NOVEMBER 20, 2007.

P.C.

1. Request for adjournment is made on behalf of the Petitioning Creditors on the ground that the Advocate on record is out of station. Ordinarily, that request could have been accepted. However, in the present case, in my opinion, the matter is squarely covered by the decision of brother Justice A.S.Oka dated September 4, 2007 in Notice of Motion No.40 of 2007.

2. In the circumstances, the Petition is disposed of with liberty to the Petitioning Creditors to pursue such other remedy as may be permissible in law.

A.M.KHANWILKAR, J.